CHAPTER FOUR:
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CREATING PWC POLICY

Since effective resource management begins with effective resource policy, this chapter of the *PWC Management Guide* serves to support those readers who are involved in policy development and implementation. It is intended to facilitate PWC management policies that balance the rights of PWC constituents with the rights of other boaters, recreators and resource users, while minimizing adverse PWC-related impacts and protecting the overall character, quality of life and visitor appeal of local communities.

The policy-making process may be divided into a series of interrelated phases or steps, each representing an interactive set of actions and ideas. Although the number of phases often varies, most policy-making frameworks entail some permutation of the same general steps or activities. This chapter outlines these steps and highlights the specific considerations that are pertinent to the creation of PWC policy. It also discusses several factors that influence the effectiveness of PWC policy.

4.1 Issue Recognition and Definition

The first step in policy development is to recognize or identify an emerging issue, problem or concern. Emerging issues and concerns are not always self-evident, but they often become apparent through focusing events, public feedback or changing trends in ecological and social indicators. For example, PWC debates often surface following severe safety infractions, after notable increases in public complaints regarding noise and safety, or because scientific and/or popular media link PWC use to environmental degradation. Emerging issues and concerns are also identified by broader indications that a certain problem is becoming widely recognized. The PWC ban enacted by the National Park Service brought PWC-related issues to the forefront of the recreational boating arena and continues to influence the way that many local and state governments approach PWC management and use.

Once an issue or problem has been recognized, it usually needs to be more comprehensively defined. This evaluative process involves separating and prioritizing the various components of the issue so that they may be appropriately framed and presented to the public. During this step, local resource managers and government officials should delineate the specific impacts or problems that are relevant to their community so that they may focus their management efforts accordingly. Some communities may need to reduce PWC-related water pollution or wildlife disturbance, whereas others may choose to focus on public safety issues.

Since the definition of a particular issue or problem is influenced by the values, goals, biases, assumptions and understanding of the individuals involved in the process, it is important to engage as many constituents and interest groups as possible. This inclusive approach enables policy makers to facilitate better understanding of the issue at hand by elucidating perceptions and creating consensus regarding the nature and extent of the problem (Putt and Springer 1982). Although the number and type of stakeholders will vary by community, potential stakeholders in PWC management include: PWC owners and operators; other recreational boaters and coastal recreators; natural resource scientists and managers; local

citizens and shorefront property owners; marina operators and other commercial water-users; PWC dealers and livery operators; local harbormasters, law and safety officers and economic development officials; and all relevant government, industry and environmental representatives.

4.2 Issue Refinement

The second phase in policy development is to clarify or refine the issue that emerged in the first phase. By fine-tuning a specific problem or concern, issues can be scoped to raise public interest or to garner public support for a particular management strategies. During the refinement phase, general issues such as "wildlife disturbance" or "public safety," are transformed into more specific, tangible problems such as "disruption of nesting activities within a coastal wildlife sanctuary" or "excessive PWC operation near public swimming areas." When refining an issue, policy makers should gather as much site-specific data and information as possible (given time and budgetary constraints) and assess it in a holistic context that considers other related issues and problems. Appendix H, taken from guidelines created by the National Park Service's Environmental Quality Division, provides a useful checklist for the collection of data and information necessary to assess PWC impacts. The site-specific information on this list, combined with the general scientific information contained in the first section of this manual, offer a solid framework for refining PWC issues. As in the case of issue recognition and definition, involving a diverse group of constituents in this process helps to ensure that the refined issue balances the opinions, goals and needs of the community (Putt and Springer 1982).

An effective way to refine PWC issues is to solicit input from the public regarding their knowledge of PWC impacts, their participation in PWC use and their opinions about PWC management. Public workshops, hearings, interviews and surveys are useful ways to gather such input. For example, policy makers may conduct local hearings or interviews to gauge public opinion regarding PWC issues and determine how local residents view PWC use compared to other recreational and resource uses. Moreover, policy makers may administer surveys to delineate local boating activity, quantify vessel use and characterize public awareness of or concern for boating-related environmental issues. (See Appendix I for a sample survey regarding boating opinions and use.) In turn, survey results may be used to identify opportunities for public education and outreach (i.e., informing PWC users about the ecologically sensitive nature of shallow water areas) or to provide insight into the potential effectiveness of various PWC management strategies (i.e., zoning scenarios or set-back distances).

4.3 Development of Policy Alternatives

Once an issue has been recognized and refined, the development of alternative policy solutions can begin. It is useful to begin this phase by taking inventory of past or present policies and assessing their performance or effectiveness. This inventory enables policy makers to identify problems or concerns that were not addressed by previous policies and integrate them into the decisions and priorities of the issue refinement phase. Once all of the relevant issues and concerns are on the table, overarching goals should be developed to

guide current and future policy-making efforts. Setting well-defined, achievable goals is important because they ensure that policy alternatives are properly focused and capable of addressing the issues at hand. After past policy efforts have been assessed and future policy goals are established, alternative policy solutions can be selected. Viable policy alternatives are selected by considering the potential outcomes of a wide range of options and carefully choosing those policies that are capable of addressing the primary issue and facilitating the established goals.

With regard to PWC management, policy development should begin by assessing 1) existing laws, regulations and usage restrictions; 2) applicable education and training requirements; and 3) current management strategies (i.e., zoning, vessel restrictions, prohibitions, etc.). Then, overarching goals such as "protecting wildlife" or "enhancing public safety" should be set according to the outcome of the issue refinement phase. Finally, new management policies—or combinations of old and new policies—can be developed to deal with issues that require more direct action. For example, if a community's primary goal is to protect wildlife, then its PWC policy alternatives should focus on ways to decrease PWC-related noise and disturbance. Appropriate options might include regulating PWC noise output or restricting PWC use near critical habitat areas. Conversely, if a community's main priority is to enhance public safety, then its policy alternatives should focus on strategies that improve PWC operation. Appropriate policy options might involve regulating PWC use, facilitating boating education and safety training or making PWC more compatible with other vessels and recreational activities.

4.4 Evaluation of Policy Alternatives

After a range of alternative policy solutions has been developed, the potential feasibility and outcome of each alternative should be evaluated. To assess feasibility, policy makers need to consider 1) the alternative's fiscal and human resource requirements; 2) the complexity of its initiation or implementation processes; and 3) the magnitude of change it requires of the public (Putt and Springer 1982). Laying out policy options with these demands generally facilitates a better decision-making process and, as many policy makers have discovered, it is usually more difficult to garner public support for policies with large resource demands and complex implementation processes than for policies that are relatively simple and direct. Many communities have opted for a PWC-specific speed limit or temporal use restriction rather than a spatial zoning system because, in most cases, spatial zoning involves a complex implementation process and requires substantial monetary and human resources. Similarly, policies that require the public to stray from familiar management scenarios may not be viewed as favorably as those that adhere to conventional pathways. In many cases, older or more experienced boaters who are not typically accustomed to or supportive of mandatory boating education may be more inclined to support voluntary PWC education programs.

4.5 Policy Initiation

Policy initiation is the phase in which a specific policy alternative or course of action is selected and put into practice. During this phase, policy analysts are often employed to provide more in-depth evaluations of the proposed alternatives and to advise stakeholders

and other key decision makers. Some analysts recommend specific policies based on their probable outcome, while others project future conditions that could result from particular policy alternatives (Patton and Sawicki 1993). In either case, analysts usually examine policy aspects like effectiveness, efficiency, equality and responsiveness (Putt and Springer 1982).

Generally speaking, effectiveness refers to the magnitude of an outcome that a policy will provide. Decreasing numbers of PWC-related safety infractions and noise complaints, or increasing numbers of shorebird sightings, may reflect policy or program effectiveness. Efficiency, on the other hand, refers to such outcomes in terms of a particular level of effort. How much do safety infractions decrease with each dollar spent on additional law enforcement or boater education? Or how much do shorebird sightings increase with each hour of environmental education or voluntary monitoring? Equality signifies the overall distribution of a particular policy's costs and benefits within a given society. Are the individuals affected by a PWC policy bearing a proper proportion of its costs or are non-boaters and non-resource users paying for the policy? Finally, responsiveness refers to the degree in which a policy will meet the needs and goals of those individuals or groups affected by it. Will a proposed PWC management scenario adequately address a community's wide range of environmental quality or public safety concerns?

Upon examining these aspects of policy, analysts provide local decision makers with qualitative and quantitative information regarding the nature and extent of support that each policy alternative requires. They also provide insight into the logistical reality and potential feasibility of the proposed alternatives. With this in mind, decision makers can compare the proposed alternatives, select a specific policy and lay the groundwork for implementing it. This groundwork includes gathering and committing adequate time and resources and, in some cases, the passage of new legislation.

4.6 Policy Implementation

Whereas the previous phases represent intent, the policy implementation phase produces results. Implementation is where the "rubber meets the road" and it requires a myriad of actions and decisions. One of the primary tasks of implementation is to take the general goals that were established in previous phases and transform them into clear, detailed, measurable objectives. If a policy's goal is to minimize wildlife disturbance, then suitable objectives may be to reduce waterbird flushing from a known nesting site or to protect critical spawning areas for local finfish populations. Similarly, if a policy's goal is to improve public safety, then appropriate objectives may include reducing boating activity near public swimming areas or enhancing PWC operation among teenagers.

Once these objectives are established, they can be pursued through specific actions such as setback distances, zoning scenarios or boating education. During the implementation phase, policy makers may be tasked with creating new organizational units, establishing directives, recruiting personnel, assigning duties, budgeting and distributing funds, awarding grants or contracts, supervising staff, enforcing regulations and reporting to stakeholders (Putt and Springer 1982).

The activities and decisions associated with PWC policy implementation vary widely, depending on the established objectives. However, there are certain general conditions that facilitate successful policy implementation (Sabatier and Mazmanian 1981). For example:

- The policy's goals and objectives must be clearly defined and should reflect the needs and interests of relevant stakeholders.

- The selected course of action must lead to the realization of goals and objectives.

- The implementation plan must be structured in a manner that is conducive to success.

    - There should be sufficient human and financial resources.

    - The necessary responsibilities and supporting roles should be assigned.

    - There should be adequate access to relevant agencies and supporters.

- The program leaders should possess adequate managerial and political skill and must be committed to the selected policy or course of action.

- The selected policy or course of action must have the active support of relevant constituents.

- The selected policy or course of action should not be undermined by the emergence of conflicting policies or by changes within the relevant political or social context.

Keeping these conditions in mind during PWC policy clarification and initiation will increase the potential for successful policy implementation.

4.7 Policy Evaluation

Although evaluation is the last phase in this particular model of the policy process, it is far from being an endpoint. Instead, it is a feedback mechanism that frequently loops back into one of the previous stages. In general, policy evaluation enables stakeholders to better understand what happened during the issue recognition and refinement phases and provides insight into the success of the implementation phase (Putt and Springer 1982). Some evaluations describe past policies, while others assess ongoing ones (Patton and Sawicki 1993). Either way, the primary objective of policy evaluation is to learn from the past so that future actions may be more effective, efficient and fair. To this end, the evaluation phase serves to enhance the modification and continuation of specific policies or programs by: 1) assessing how well the selected policy or course of action is achieving its objectives; 2) delineating the least and most effective components of a particular policy or action; and 3) identifying unexpected side effects or unintended consequences (Putt and Springer 1982).

PWC policy evaluations may be conducted in various ways. One way is to monitor specific PWC management programs to ensure that incoming resources are being used efficiently and that desired outcomes are being achieved. For example, a local waterways zoning plan may be scrutinized to determine if law enforcement resources are being managed efficiently or whether or not the zoning scenario is adequately mediating multiple-use conflicts. Alternatively, specific PWC-related impacts may be assessed to determine if the necessary ecological and social changes are occurring. By collecting quantitative data on various impacts (i.e., public safety infractions, noise complaints, wildlife disturbances, etc.), changes can be linked to various components of a policy or action. This process enables policy makers to enhance future efforts and ensure the continuation of positive results. Finally, the implementation process itself may be evaluated to determine how well a given policy or action is performing and, if necessary, how to improve the process in order to accomplish the desired goals and objectives. For example, a PWC safety program may not be performing optimally if the funds allocated towards it are not substantial enough to provide adequate education and training to all boaters. By recognizing this downfall, stakeholders can redirect their efforts towards securing the necessary funds to increase the scale and reach of the program.

4.8 REFERENCES

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